

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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GMA ACCESSORIES, INC.,	:	
	:	
Plaintiff,	:	
	:	
v.	:	07 CV 3219 (LTS)
	:	
CHARLOTTE SOLNICKI, CHARLOTTE B, LLC, :		
EMINENT, INC., SAKS FIFTH AVENUE, INC., :		
INTERMIX, INC., WINK NYC, INC., :		
LISA KLINE, INC., GIRLSHOP, INC., :		
SHOWROOM SEVEN STUDIOS, INC., :		
ELECTRIC WONDERLAND, INC., :		
SHOWROOM SEVEN INT'L,	:	
SHOWROOM SEVEN, JONATHAN SINGER, :		
GOSI ENTERPRISES, LTD., LEWIS TIERNEY, :		
TIERNEY DIRECT LLC and	:	
JONATHAN SOLNICKI,	:	
	:	
Defendants.	:	
	:	
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**AMENDED NOTICE OF MOTION
TO PRECLUDE AND FOR
SANCTIONS**

PLEASE TAKE NOTICE, that Defendants Eminent, Inc., Saks Fifth Avenue, Inc., Intermix, Inc., Wink NYC, Inc., Lisa Kline, Inc., Jonathan Singer, and Lewis Tierney (collectively, the “Retailer Defendants”), upon filing of the accompanying Declaration of Ira S. Sacks, dated April 16, 2008, Declaration of Ira S. Sacks, dated April 17, 2008, and the exhibits attached thereto, will move this Court before the Honorable Debra C. Freeman, United States Magistrate Judge, United States Courthouse, 500 Pearl Street, New York, New York, at such time as the Court directs, for an Order pursuant to Federal Rule of Civil Procedure Rules 26 and 37 to preclude GMA Accessories, Inc. (“GMA”) (i) from taking the depositions of any Retailer Defendant in this case and in *Sanei Charlotte Ronson v. GMA Accessories, Inc.*, 07 CV 9578 (the “*Sanei Case*”), whose deposition was scheduled for the period April 14, 2008 through May 1,

2008, and were canceled or not confirmed by GMA's counsel; (ii) taking the deposition of Sanei Charlotte Ronson LLC in this case and regarding issues in this case if the deposition is taken in the *Sanei* Case; and (iii) for sanctions in connection therewith for GMA's failure to comply with a Court Order, including, but not limited to, dismissal of GMA's claims against the Retailer Defendants.

Dated: New York, New York
April 17, 2008

DREIER LLP

/s/ Ira S. Sacks
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Attorneys for the Retailer Defendants